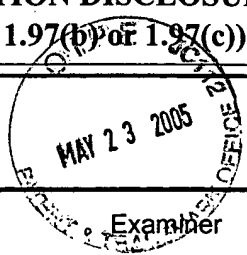


**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
15436.253.77.1

In Re Application Of: **Fishman, et al.**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/696,253	October 29, 2003	Hal D. Wachsman	022913	2857	7077

Title: **SYSTEM AND METHOD OF TESTING A TRANSCEIVER**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
15436.253.77.1

In Re Application: Fishman, et al.

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10/696,253	October 29, 2003	Hal D. Wachsman	022913	2857	7077

Title: SYSTEM AND METHOD OF TESTING A TRANSCEIVER

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☒ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

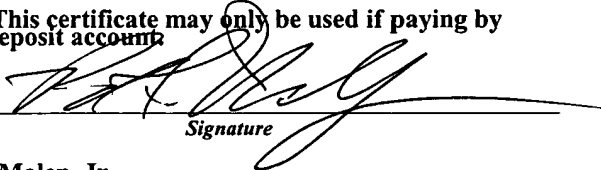
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

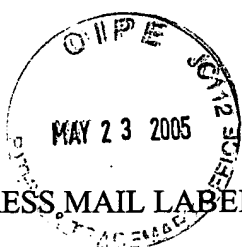
**\*This certificate may only be used if paying by deposit account**

  
Signature

Dated: May 23, 2005

Peter F. Malen, Jr.  
Attorney for Applicants  
Reg. No. 45,576  
Telephone No. 801-533-9800

CC:



EXPRESS MAIL LABEL NO.: EV 657811489 US

PATENT APPLICATION  
Docket No.: 15436.253.77.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	Fishman, et al.	)
		)
Serial No.:	10/696,253	) Art Unit
		) 2857
Filed:	October 29, 2003	)
		)
Confirmation No.:	7077	)
		)
For:	SYSTEM AND METHOD OF TESTING	)
	A TRANSCEIVER	)
		)
Examiner:	Hal D. Wachsman	)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

05/25/2005 MAHMED1 00000073 10696253

02 FC:1806

180.00 00

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Since all listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Statement of References Previously Disclosed  
Under 37 C.F.R. § 1.98(d)

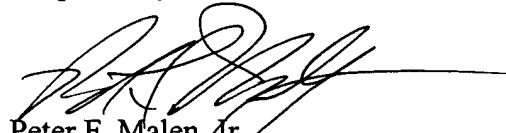
The listed references in the attached USPTO-1449 Forms are not enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number 10/285,081, filed on October 31, 2002 and in application number 10/285,082, filed on October 31, 2002, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

Submission Fee Under 37 C.F.R. § 1.97(c))

In accordance with 37 C.F.R. § 1.97(c), payment by credit card in the amount of \$180.00 is enclosed to secure consideration of the references submitted with this Information Disclosure Statement. Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 23<sup>RD</sup> day of May, 2005.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter F. Malen, Jr.", with a long horizontal line extending to the right.

Peter F. Malen, Jr.  
Attorney for Applicants  
Registration No. 45,576  
Customer No. 022913  
Telephone No. 801-533-9800

PFM/gpm  
GPM0000001179V001

Applicant:

Fishman, et al.

Serial No.:

10/696,253

Filing Date:

October 29, 2003

For:

SYSTEM AND METHOD OF TESTING A TRANSCEIVER

Att'y Docket No.: 15436.253.77.1

Group: 2857

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	5,268,949	12/07/93	Watanabe et al.
____ 2	5,748,672	05/1998	Smith et al
____ 3	5,761,216	06/02/98	Sotome et al.
____ 4	6,661,836	12/2003	Dalal et al.
____ 5	6,694,462	02/2004	Reis et al.

Related U.S. Patent Applications

	<u>Application Number</u>	<u>Filing Date</u>	<u>Name</u>
____ 6	10/285,081	10/31/02	Fishman, et al.
____ 7	10/285,082	10/31/02	Fishman, et al.
____ 8	10/695,477	10/28/03	Fishman, et al.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Fishman, et al.

Serial No.: 10/696,253

Att'y Docket No.: 15436.253.77.1

Filing Date: October 29, 2003

Group: 2857

For: SYSTEM AND METHOD OF TESTING A TRANSCEIVER

Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>
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None

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial\*

\_\_\_\_\_ 9      Yi Cai et al., "Jitter testing for gigabit serial communication transceivers", Jan.-Feb. 2002, IEEE Design and Test of Computers, Volume 19, Issue 1, pps. 66-74

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

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Applicant: Fishman, et al.

Serial No.: 10/696,253

Att'y Docket No.: 15436.253.77.1

Filing Date: October 29, 2003

Group: 2857

For: SYSTEM AND METHOD OF TESTING A TRANSCEIVER

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Form PTO-1449

Sheet 1 of 2

Applicant: Fishman, et al.  
Serial No.: 10/285,082  
Filing Date: October 31, 2002  
For: SYSTEM AND METHOD PF PROCESSING A  
DATA SIGNAL

Att'y Docket No.: 15436.253.87

Group: 2133 2817

SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTRelated U.S. Patent Applications

<u>Inventor</u>	<u>Application Number</u>	<u>Filing Date</u>
Alex Fishman, et al.	10/285,081	October 31, 2002
Alex Fishman, et al.	10/695,477	October 28, 2003

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
<del>NONE</del>			

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
<del>NONE</del>			

Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

~~NONE~~

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

OCT 29 2004  
Sheet 2 of 2

Form PTO-1449

Applicant: Fishman, et al.

Serial No.: 10/285,082

Filing Date: October 31, 2002

For:

SYSTEM AND METHOD PF PROCESSING A  
DATA SIGNAL

Att'y Docket No.: 15436.253.87

Group: 2133-2857

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

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CA1000000729V001

*No references cited on this page.**2-24-05*

Examiner:

*[Signature]*

Date Considered:

*2-24-05*

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Sheet 1 of 1

Applicant:

Fishman  
Haritos et al.

Serial No.:

10/285,082

Att'y Docket No.: 15436.253.57

Filing Date:

October 31, 2002

Group: 2133

For:

SYSTEM AND METHOD OF PROCESSING A DATA SIGNAL



# INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

RECEIVED

NOV 06 2003

## U.S. Patent Documents

Technology Center 2100

Examiner Initial*	Document Number	Class	Subclass	Issue Date	Name
<i>W</i> 1	5,268,949	377	33	12/07/93	Watanabe et al.
<i>W</i> 2	5,761,216	714	738	06/02/98	Sotome et al.

## References Cited by Applicants

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*Karl Watanabe*

Examiner:

Date Considered:

5-12-04

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Fishman, et al.

Serial No.: 10/285,081

Att'y Docket No.: 15436.253.58.1

Filing Date: October 31, 2002

Group: 2133

For: SYSTEM AND METHOD OF DETECTING A BIT  
PROCESSING ERRORSUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTRelated U.S. Patent Applications

<u>Inventor</u>	<u>Application Number</u>	<u>Filing Date</u>
Alex Fishman, et al.	10/285,082	October 31, 2002
Alex Fishman, et al.	10/695,477	October 28, 2003

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ 1	5,748,672	05/1998	Smith et al.
_____ 2	6,661,836	12/2003	Dalal et al.
_____ 3	6,694,462	02/2004	Reiss et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
NONE			

Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

NONE

Examiner:

Date Considered:

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Applicant: Fishman, et al.

Serial No.: 10/285,081

Att'y Docket No.: 15436.253.58.1

Filing Date: October 31, 2002

Group: 2133

For: SYSTEM AND METHOD OF DETECTING A BIT  
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Examiner:

Date Considered:

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Applicant: Fishman et al.

Serial No.: 10/285,081

Att'y Docket No.: 15436.253.58.1

Filing Date: October 31, 2002

Group: 2133

For: SYSTEM AND METHOD OF DETACHING A BIT PROCESSING  
ERRORINFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
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Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

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